



# *City of Granite City*

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## ***Board of Appeals***

### ***MINUTES***

***September 1, 2010***

The Granite City Board of Appeals met on Wednesday, September 1, 2010. Acting Chair Debbie Smith called the meeting to Order at 7:20 PM, awaiting one member for a quorum.

Members Present: Debbie Smith, Kayleen Johnston, Evelyn Harris and Doug Conrad. Also present were: Aldermen Dan McDowell, Jim Smith, Steve Willaredt, Zoning Administrator and Laura Andrews, Assistant City Attorney. Excused absence: Sam Akeman.

#### **Comments/Swear In**

The Acting Chair welcomed the Petitioner, swore her in, and stated the Board of Appeals will hear the Petition and present their decision to the City Council for final determination at the next Council meeting scheduled for September 7, 2010.

#### **MINUTES/AGENDA**

A motion to approve the Minutes from the previous meeting and this evening's Agenda was made by Kayleen Johnston and seconded by Douglas Conrad. Roll Call vote. All ayes. Motion carried.

#### **PETITIONER: Brenda Faye Guerrero - 2714 Myrtle Avenue**

Ms. Guerrero presented her request for a front yard fence variance. The request included replacement of the existing 32 in. fence with a new 5 ft. chain link fence, extending all the way across the vacant lot next to her home, also owned by the Petitioner. She stated the 5 ft. fence will provide security and protection for her, and her pets, from neighboring dogs. Recently two of her kittens were mauled, and killed, by neighboring dogs.

The Zoning Administrator read the City Ordinance Code Regulation for Fences: Section 5-300, Part C. General Provisions, (No. 3) Plan for Construction, which states a maximum height of 4 ft. above ground level is required. He stated the Petitioner's requested height would be fine with him, providing this Board approves.

The Chair called for questions or comments. The Zoning Administrator asked if there would be a gate in front of the driveway and the Petitioner responded, "yes, a double gate".

Kayleen Johnston asked the reason for the 5 ft height and was told for security. Kayleen then asked the Petitioner if the replacement fence will be constructed at the same time as the new fence and was told, yes. No further questions or comments voiced.

**MOTION** by Evelyn Harris and seconded by Douglas Conrad to approve the 5 ft. high chain link front yard fence, to be constructed going all the way around and align with the fence in the back. Roll Call vote. All ayes. Motion carried by unanimous consent.

Douglas Conrad stated he is aware that the Motion was made and passed, but wanted to know if the Petitioner intended to use any type of slating or webbing. The Petitioner responded, “no”.

**New Business** – none voiced.

**Unfinished Business** – none voiced.

**Motion to adjourn** made by Douglas Conrad and seconded by Debbie Smith. Motion carried by unanimous consent.

Respectfully submitted,

*Barbara Hawkins*

Recording Secretary

Board of Appeals

## ***BOARD OF APPEALS ADVISORY REPORT***

**PETITIONER:** Brenda Faye Guerrero

**LOCATION:** 2714 Myrtle Avenue

**REQUEST:** variance for construction of a front yard chain link fence, 5 ft. in height, extending from her home all the way across the vacant lot, to align with an existing fence in back.

Vacant lot owned by Petitioner. Existing 3½ ft. high fence to be taken down.

### **FINDINGS OF FACT:**

1) Proposed variance is consistent with general Purpose of the ordinance Section 1-1:

**Yes**

2) The strict application of the district requirements would result in great practical difficulties or hardship to the applicant, and prevent reasonable return on property:

**Yes**

3) The proposed variance is the minimum deviation from such requirements that will alleviate the difficulties/hardship, and allow a reasonable return on the property:

**Yes**

4) The plight of the applicant is due to peculiar circumstances not of his own making:

**N/A**

5) The peculiar circumstances engendering the variance request are not applicable to other property within the district, and therefore, that a variance would be a more appropriate remedy than an amendment (re-zoning):

**Yes**

6) The variance, if granted, will not alter the essential character of the area where the premises in question are located nor materially frustrate implementation of this Municipality's Comprehensive Plan:

**Yes**

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**Motion** by Evelyn Harris and seconded by Douglas Conrad to allow the above request.

### **ROLL CALL:**

Acting Chair Debbie Smith	Yes
Evelyn Harris	Yes
Kayleen Johnston	Yes
Douglas Conrad	Yes

**ALL AYES – MOTION PASSED UNANIMOUSLY**

**Date of Hearing:** Sept. 1, 2010